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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/724,075	11/28/2000	Tim Bridges	G08.155	6810

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EXAMINER
GRAHAM, CLEMENT B

ART UNIT	PAPER NUMBER
3692	

MAIL DATE	DELIVERY MODE
12/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/724,075	BRIDGES ET AL.
	Examiner	**Art Unit**	
	Clement B. Graham	3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>10 September 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-14</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-14</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1. Claims, 1-14 are pending.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patent ability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-9,12-14, are rejected under 35 U.S.C. 103(a) as being unpatentable over

Statement of financial accounting standards No. 133, accounting for derivative

instruments and hedging activities by Edmund L. Jenkins (Hereinafter Jenkins Nov,

1998.Vol. 186, Iss.5; 12 pages) in view of Wallman U.S Patent 6, 360, 210.

As per claims 1, 7-8, Jenkins discloses a hedge accounting method implemented

by a programmed computer system for reducing periodic earnings volatility associated

with a hedging transaction, the method comprising:

processing data and instructions on the computer to account for a financial exposure of

an associated hedging instrument by designating, for accounting purposes, a portion("i.

e, percentage") of the value of the financial exposure as being hedged by the hedging

instrument(see page 9-12 of paragraph 18-22) the designated portion being based on a

delta ("i. e, relationship between option price and the underlying futures contract or

stock price") of the hedging instrument representing a price sensitivity of the financial

exposure with respect to changes in market value("i. e, value") of an underlying

instrument.(see page 9-12 of paragraph 18-22) and in each of a plurality of sequential

periods("i. e, future periods "see page 16 paragraph 31) processing data on the

computer to compute a designation, for accounting purposes, of the portion of the

financial exposure being hedged by the hedging instrument based on changes to the

delta of the hedging instrument changes in price sensitivity of the hedging instrument, to

reduce periodic earnings volatility associated with a hedging transaction. (Note abstract

and summary see page 9-12 of paragraph 18-22).

Jenkins fail to explicitly teach redesignation .

However Jenkins teaches designation and it would have been obvious to one of ordinary skill in the art that redesignation would have been repeating the designation process of Jenkins.

Jenkins fail to explicitly teach dynamic processing data on the computer to compute.

However Wallman discloses, a computer-based system for managing risk underlying a portfolio of assets/liabilities, includes a graphical user interface, a memory (with a custodial feature), a processor and a link to the party incurring the risk, which could include the public markets through publicly traded hedging devices such as puts and calls. The graphical user interface enables the user to enter information about the portfolio, including a list of assets/liabilities, values for each of the assets/liabilities, shares owned or a percentage of each issue as part of the entire portfolio, and an input of what the user wishes to have limited for downside risk ("shielded or protected"). The processor analyzes the portfolio using, among other known techniques, value-at-risk and sensitivity algorithms and probabilistic analysis to determine an expected likelihood of a catastrophic loss in value at a plurality of specified levels and a likely distribution of outcomes for the portfolio over specified periods, and can also calculate the cost of hedging the risk through the purchase of instruments traded in the public markets. (see column 6 lines 10-60).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Jenkins to include dynamic, processing of data on the computer to compute taught by Wallman in order to for an investor can manage and limit the inherent risk in a portfolio.

As per claim 2, Jenkins discloses wherein the hedging instrument comprises an instrument selected from the group consisting of a put option, a call option, and a derivative. (see page 11 paragraph 5).

As per claim 3, Jenkins discloses wherein the accounting comprises accounting in accordance with Financial Standards Accounting Board Statement Number 133. (Note abstract).

As per claim 4, Jenkins discloses wherein the financial exposure is associated with changes in market price of the underlying hedge item, and hedging instrument is an option to exchange a first amount of the underlying financial instrument at a first price on a maturity date. (see page 21 paragraph 8 and page 9-12 of paragraph 18-22).

As per claim 5, Jenkins discloses wherein the first amount is substantially equal to a total value of the financial exposure. (see).

As per claim 6, Jenkins discloses wherein the underlying instrument selected from the group consisting of currency, a commodity and an interest rate. (see page 5 paragraph 7 and page 8 paragraph 15).

As per claim 9, Jenkins wherein the future exchange comprises an exchange selected from the consisting of a put option and a call option. (see page 11 paragraph 5).

As per claims 10-11, Jenkins discloses a method implemented by a programmed computer system for reducing periodic earnings volatility associated with accounting for a hedging transaction, the method comprising:
executing a computer program module configured to receive data and process computer code instructions to account for a financial exposure of an associated hedging instrument, the hedging instrument comprising a first and a second part, said first part comprising a first sub-portion and a second sub-portion.("inherent with hedging instrument") wherein changes in the value of the first part offset, at least in part, changes in value of the financial exposure.(see page 9-12 of paragraph 18-22) executing a computer program module configured to receive data and process computer code instructions to (i) determine a size of the first sub-portion relative to a size of the second sub-portion such that the second sub-portion offsets the delta of the second part and (ii) effect accounting designations whereby the first sub-portion is designated as a hedge of at least a portion of the financial exposure, wherein the designation is based on a delta of the hedging instrument representing a price sensitivity of the financial exposure and the second sub portion is not designated as a hedge of the financial exposure.(see page 9-12 of paragraph 18-22) and

executing a computer program module configured to receive data and process computer code instructions to determine, in each of a plurality of sequential periods, a dynamic re-designation, for accounting purposes, of the size of the first sub-portion designated as a hedge of at least a portion of the financial exposure relative to the size of the second sub-portion that is not designated as a hedge of the financial exposure such that the re-designation of the first sub-portion is based on the delta of the hedging instrument and the second sub-portion continues to substantially offset the delta of the second part(see page 9-12 of paragraph 18-22" i. e, future periods" see page 16 paragraph 31") to reduce periodic earnings volatility associated with accounting for a hedging transaction("i. e, volality"). (see page 9-12 of paragraph 18-22)

Jenkins fail to explicitly teach re-designation.

However Jenkins teaches designation of the portion of the financial exposure based on changed price sensitivity of the hedging instrument, and it would have been obvious to one of ordinary skill in the art that the redesignation of the portion of the first part such that the remainder of the first part offsets the delta of the second part would have been repeating the designation process of Jenkins.

Jenkins fail to teach dynamic, executing a computer program module configured to receive data and process computer code instructions.

However Wallman discloses, a computer-based system for managing risk underlying a portfolio of assets/liabilities, includes a graphical user interface, a memory (with a custodial feature), a processor and a link to the party incurring the risk, which could include the public markets through publicly traded hedging devices such as puts and calls. The graphical user interface enables the user to enter information about the portfolio, including a list of assets/liabilities, values for each of the assets/liabilities, shares owned or a percentage of each issue as part of the entire portfolio, and an input of what the user wishes to have limited for downside risk ("shielded or protected"). The processor analyzes the portfolio using, among other known techniques, value-at-risk and sensitivity algorithms and probabilistic analysis to determine an expected likelihood of a catastrophic loss in value at a plurality of specified levels and a likely distribution of

outcomes for the portfolio over specified periods, and can also calculate the cost of hedging the risk through the purchase of instruments traded in the public markets. (see column 6 lines 10-60).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Jenkins to include dynamic, executing a computer program module configured to receive data and process computer code instructions taught by Wallman in order to for an investor can manage and limit the inherent risk in a portfolio.

As per claims 12-13, Jenkins discloses a method of accounting for a hedged exposure, the method comprising: procuring a hedging instrument to hedge a total exposure value of a financial instrument, and prior to each of a series of sequential time periods, a designated portion of the total exposure value based on a current sensitivity of a price of the hedging instrument and the value of the exposure, and account for the hedging instrument as a hedge on the designated portion.("i. e, percentage") of the total exposure value(see page 9-12 of paragraph 18-22) and subsequent to an end of each time period, processing data and to determine a change in the market value("i. e, fair value") of the hedging instrument over a corresponding time period ("i. e, future periods "see page 16 paragraph 31") and determine a change in the market value of the (Note summary and see page 9-12 of paragraph 18-22), designated exposure over the corresponding time period and account for said change in market value of the hedging instrument offsetting said change in market value of the designated exposure as other than earnings. (see page 9-12 of paragraph 18-22).

Jenkins fail to explicitly teach dynamic, computer system program instructions to cause processing data to calculate.

However Wallman discloses, a computer-based system for managing risk underlying a portfolio of assets/liabilities, includes a graphical user interface, a memory (with a custodial feature), a processor and a link to the party incurring the risk, which could include the public markets through publicly traded hedging devices such as puts and calls. The graphical user interface enables the user to enter information about the

portfolio, including a list of assets/liabilities, values for each of the assets/liabilities,

shares owned or a percentage of each issue as part of the entire portfolio, and an input

of what the user wishes to have limited for downside risk ("shielded or protected"). The

processor analyzes the portfolio using, among other known techniques, value-at-risk

and sensitivity algorithms and probabilistic analysis to determine an expected likelihood

of a catastrophic loss in value at a plurality of specified levels and a likely distribution of

outcomes for the portfolio over specified periods, and can also calculate the cost of

hedging the risk through the purchase of instruments traded in the public markets. (see

column 6 lines 10-60)

Therefore it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of Jenkins to include dynamically,

processing data on the computer to compute taught by Wallman in order to for an

investor can manage and limit the inherent risk in a portfolio.

As per claim 14, Jenkins discloses a computer system comprising:

a host computer comprising a processor coupled to a memory comprising instructions to

configure the processor to process executable instructions and data to compute a value

representing a reduction in earnings volatility in a derivative account, the instructions

further comprising instructions to cause the processor to:

process said instructions to compute data to account for a financial exposure of an

associated hedging instrument by designating a portion of the value of the financial

exposure as being hedged by the hedging instrument(see page 9-12 of paragraph 18-

22) the portion being determined based on:

processing of data representing a price sensitivity("i. e, changes") of the hedging

instrument (see page 9-12 of paragraph 18-22) with respect to changes in market value

of an underlying financial instrument; and

process said instructions such that, in each of a plurality of sequential periods("i. e,

future periods "see page 16 paragh 31"), data is computed to dynamically re-designate

the portion of the financial exposure based on changed price sensitivity of the hedging

instrument, to reduce periodic earnings volatility associated with accounting for a

hedging transaction. ("i. e, future periods "see page 16 paragraph 31 and see page 9-12 of paragraph 18-22").

Jenkins fail to explicitly teach, data is computed to redesignate.

However Jenkins teaches designation of the portion of the financial exposure based on changed price sensitivity of the hedging instrument, and it would have been obvious to one of ordinary skill in the art that redesignation of the portion of the financial exposure based on changed price sensitivity of the hedging instrument would have been simply repeating the designation process of Jenkins.

Jenkins fail to teach a dynamically, host computer comprising a processor coupled to a memory comprising instructions to configure the processor to process executable instructions and data to compute a value representing a reduction in earnings volatility in a derivative account.

However Wallman discloses, a computer-based system for managing risk underlying a portfolio of assets/liabilities, includes a graphical user interface, a memory (with a custodial feature), a processor and a link to the party incurring the risk, which could include the public markets through publicly traded hedging devices such as puts and calls. The graphical user interface enables the user to enter information about the portfolio, including a list of assets/liabilities, values for each of the assets/liabilities, shares owned or a percentage of each issue as part of the entire portfolio, and an input of what the user wishes to have limited for downside risk ("shielded or protected"). The processor analyzes the portfolio using, among other known techniques, value-at-risk and sensitivity algorithms and probabilistic analysis to determine an expected likelihood of a catastrophic loss in value at a plurality of specified levels and a likely distribution of outcomes for the portfolio over specified periods, and can also calculate the cost of hedging the risk through the purchase of instruments traded in the public markets. (see column 6 lines 10-60 and column 8 lines 35-65).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Jenkins to include dynamically, host computer comprising a processor coupled to a memory comprising instructions to

configure the processor to process executable instructions and data to compute a value

representing a reduction in earnings volatility in a derivative account taught by Wallman

in order to for an investor can manage and limit the inherent risk in a portfolio.

Response to Arguments

4.   Applicant's arguments files on 9/10/07 have been fully considered but they are

moot in view of new grounds of rejections.

5.   In response to arguments as it pertains to Jenkins and Wallman.

6.   In response to arguments that Jenkins and Wallman fail to teach or suggest"

Delta" of the hedging instrument "representing a price sensitivity of the financial

exposure with respect to changes in market value of an underlying instrument and the

plurality of sequential periods".

  However the Examiner disagrees with Applicant's because these limitations were

addressed as stated in a combination of teachings.

  Jenkins teaches processing, data and instructions to account for a financial exposure of

an associated hedge item by designating for accounting purposes a portion. ("i. e,

percentage") of the value of the financial exposure as being hedged by the hedging

instrument. (see page 9-12 of paragraph 18-22) the portion being based on a the

delta("i. e, relationship between option price and the underlying futures contract or stock

price") of the hedging instrument representing a price sensitivity of the financial

exposure with respect to changes in market value. ("i. e, fair value") of an underlying

hedge item.(see page 9-12 of paragraph 18-22) and in each of a plurality of sequential

periods. ("i. e, future periods "see page 16 paragraph 31") and for accounting purposes

of the portion of the financial exposure being hedged by the hedging instrument the

delta of the hedging instrument based on changes in price sensitivity of the hedging

instrument to reduce periodic earnings volatility associated with a hedging transaction.

.(Note abstract and summary see page 9-12 of paragraph 18-22) and account for

financial exposure for an associated hedging instrument comprising a first and a second

part said first part comprising sub-portion and a second sub-portion. (inherent with

hedging instrument") wherein changes in the value of the first part substantially offset

changes in value of the financial exposure(see page 9-12 of paragraph 18-22) and

executing a computer program module configured to receive data and process

computer code instructions to determine size of the first sub-portion relative to a size of

the second sub-portion offsets the delta of the second part and effect accounting

designations whereby the first sub-portion is designated as a hedge of at least a portion

of the financial exposure designation is based on a delta of the hedging instrument

representing a price sensitivity of the financial exposure and the second part sub-portion

is not designated as a hedge of the financial exposure and the second sub-portion is not

designated as a hedge of the financial exposure. (see page 9-12 of paragraph 18-22)

and executing a computer program module configured to receive data and process

computer code instructions to determine in each of a plurality of sequential periods a

designation for accounting purposes of the size of the first sub-portion designated as a

hedge of at least a portion of the financial exposure such that the designation is based

on a delta of the hedging instrument and the designated second sub portion continues

to substantially effect the delta of the second part to reduce periodic earnings volality

associated with accounting for a hedging transaction ("i. e, volality") of the second

part.(see page 9-12 of paragraph 18-22) ("i. e, future periods "see page 16 paragraph

31").

Wallman discloses, a computer-based system for managing risk underlying a portfolio of

assets/liabilities, includes a graphical user interface, a memory (with a custodial

feature), a processor and a link to the party incurring the risk, which could include the

public markets through publicly traded hedging devices such as puts and calls. The

graphical user interface enables the user to enter information about the portfolio,

including a list of assets/liabilities, values for each of the assets/liabilities, shares owned

or a percentage of each issue as part of the entire portfolio, and an input of what the

user wishes to have limited for downside risk ("shielded or protected"). The processor

analyzes the portfolio using, among other known techniques, value-at-risk and

sensitivity algorithms and probabilistic analysis to determine an expected likelihood of a

catastrophic loss in value at a plurality of specified levels and a likely distribution of

outcomes for the portfolio over specified periods, and can also calculate the cost of hedging the risk through the purchase of instruments traded in the public markets. (see column 6 lines 10-60).

Therefore it obviously clear that Applicant's claimed limitations were addressed with the teachings of Jenkins and Wallman.

Further obviously the combine teachings of Jenkins and Wallman could perform the functions of Applicant's claimed limitations.

7.   Applicant also maintains that Jenkins and Wallman cannot be combined, the Examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See In re Fine, 837 F.2d 1071,5 USPQ2d 1596 (Fed. Cir. 1988) and In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The rationale to modify or combine the prior art does not have to be expressly stated in the prior art; the rationale may be expressly or impliedly contained in the prior art or it may be reasoned from knowledge generally available to one of ordinary skill in the art, established scientific principles, or legal precedent established by prior case law. In re Fine, 837 F.2d 1071, 5USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). See also In re Eli Lilli & Co., 902 F.2d 943, 14 USPQ2d 1741 (Fed. Cir. 1990) (discussion of reliance on legal precedent); In re Nilssen, 851 F.2d 1401, 7USPQ2d 1500 (Fed. Cir. 1988) (references do not have to explicitly suggest combining teachings); Ex parte Clapp, 227 USPQ 972 (Bd. Pat. App & Inter);
and Es parte

Levengood, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993) (reliance on logic and sound scientific reasoning).

Also in reference to Ex parte Levengood, 28 USPQ2d, 1301, the court stated that "Obviousness is a legal conclusion, the determination of which is a question of patent law.

Motivation for combining the teachings of the various references need not to explicitly found in the reference themselves, In re Keller, 642 F.2d 413, 208USPQ 871 (CCPA 1981). Indeed, the Examiner may provide an explanation based on logic and sound scientific reasoning that will support a holding of obviousness. In re Soli, 317 F.2d 941 137 USPQ 797 (CCPA 1963)."

8.   Applicant's claims 1, 10, 12, 14, states " in each plurality of sequential periods" configured to receive data" to hedge" prior to each " to cause subsequent " instructions to configure the processor" instructions and data to compute a value" instructions to compute data"

However the subject matter of a properly construed claim is defined by the terms that limit its scope. It is this subject matter that must be examined. As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope. Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. The following are examples of language that may raise a question as to the limiting effect of the language in a claim:

(A)   statements of intended use or field of use,

(B)   "adapted to" or "adapted for" clauses,

(C)   "wherein" clauses, or

(D)   "whereby" clauses.

This list of examples is not intended to be exhaustive. See also MPEP § 2111.04. **>USPTO personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim should not be read into the claim. E-Pass Techs., Inc. v. 3Com Corp., 343 F.3d 1364, 1369, 67 USPQ2d 1947, 1950 (Fed. Cir. 2003) (claims must be interpreted "in view of the specification" without importing limitations from the specification into the claims unnecessarily). In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969). See also In re Zletz, 893 F.2d 319, 321-22, 13 USPQ2d 1320,

1322 (Fed. Cir. 1989) ("During patent examination the pending claims must be

interpreted as broadly as their terms reasonably allow.... The reason is simply that

during patent prosecution when claims can be amended, ambiguities should

be recognized, scope and breadth of language explored, and clarification imposed.... An

essential purpose of patent examination is to fashion claims that are precise, clear,

correct, and unambiguous.

Only in this way can uncertainties of claim scope be removed, as much as possible,

during the administrative process.").<

Where an explicit definition is provided by the applicant for a term, that definition will

control interpretation of the term as it is used in the claim. Toro Co. v. White

Consolidated Industries Inc., 199 F.3d 1295, 1301, 53 USPQ2d 1065, 1069 (Fed.

Cir. 1999) (meaning of words used in a claim is not construed in a "lexicographic

vacuum, but in the context of the specification and drawings."). Any special meaning

assigned to a term "must be sufficiently clear in the specification that any departure from

common usage would be so understood by a person of experience in the field of the

invention." Multiform Desiccants Inc. v. Medzam Ltd., 133 F.3d 1473, 1477,

45 USPQ2d 1429, 1432 (Fed. Cir. 1998). See also MPEP § 2111.01.

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

10.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

CG
Dec 2, 2007

FRANTZY POINVIL
PRIMARY EXAMINER